

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 33545

STATE OF IDAHO,	)	2008 Unpublished Opinion No. 501
	)	
Plaintiff-Respondent,	)	Filed: June 9, 2008
	)	
v.	)	Stephen W. Kenyon, Clerk
	)	
KEITH ALAN OGBURN,	)	THIS IS AN UNPUBLISHED
	)	OPINION AND SHALL NOT
Defendant-Appellant.	)	BE CITED AS AUTHORITY
	)	

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Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Michael R. McLaughlin, District Judge.

Judgment of conviction and consecutive unified sentences of ten years, with a minimum period of confinement of five years, for burglary; fifteen years, with a minimum period of confinement of twelve and one-half years, for attempted robbery; and fifteen years, with a minimum period of confinement of twelve and one-half years, for use of a firearm during the commission of a felony, affirmed.

Molly J. Huskey, State Appellate Public Defender; Jason C. Pintler, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Jennifer E. Birken, Deputy Attorney General, Boise, for respondent.

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PER CURIAM

Keith Alan Ogburn was found guilty of burglary, I.C. § 18-1401; attempted robbery, I.C. §§ 18-6501, 18-6502, 18-306; and use of a firearm during the commission of a felony, I.C. § 19-2520. The district court sentenced Ogburn to consecutive unified sentences of ten years, with a minimum period of confinement of five years, for burglary; fifteen years, with a minimum period of confinement of twelve and one-half years, for attempted robbery; and fifteen years, with a minimum period of confinement of twelve and one-half years, for use of a firearm during the commission of a felony. Ogburn appeals.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-

15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Ogburn's second amended judgment of conviction and sentences are affirmed.